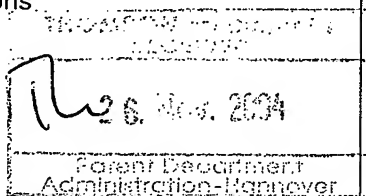


From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

To:

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European Patent Operations
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NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT
(PCT Rule 71.1)

29.11.

Date of mailing
(day/month/year) 26.11.2004

Applicant's or agent's file reference
PD020099

IMPORTANT NOTIFICATION

International application No.
PCT/EP 03/10801

International filing date (day/month/year)
29.09.2003

Priority date (day/month/year)
11.10.2002

Applicant
THOMSON LICENSING S.A. ET AL.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the international
preliminary examining authority:



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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT Article 36 and Rule 70)

Applicant's or agent's file reference PD020099	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/EP 03/10801	International filing date (<i>day/month/year</i>) 29.09.2003	Priority date (<i>day/month/year</i>) 11.10.2002
International Patent Classification (IPC) or both national classification and IPC G11B27/034		
Applicant THOMSON LICENSING S.A. ET AL.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 2 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 15.04.2004	Date of completion of this report 26.11.2004
Name and mailing address of the international preliminary examining authority: <div style="display: flex; align-items: center;"> <div> European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016 </div> </div>	Authorized Officer Mourik, J Telephone No. +31 70 340-4243



**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/EP 03/10801

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-11 as originally filed

Claims, Numbers

1-7 received on 07.09.2004 with letter of 02.09.2004

Drawings, Sheets

1/1 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/EP 03/10801**

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-7
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	1-7
Industrial applicability (IA)	Yes: Claims	1-7
	No: Claims	

2. Citations and explanations

see separate sheet

Regarding point V

D1: EP-A-1103974

The subject-matter defined in claims 1-7 lacks an inventive step in the sense of Article 33(3) PCT.

D1 addresses the problem of synchronizing a further stream (sections [0050], [0051], fig.12: "aux data path") to a pre-recorded multiplex of data streams. To solve this problem, D1 prescribes a navigation file ("PlayList") to accompany an MPEG-2 transport stream, the navigation file comprising descriptors ("PlayItems"), and the navigation file achieving synchronization of both overlapping and time-sequential streams, i.e. main and auxiliary data streams.

Independent claims 1,7 differ from D1 in that they define *multiple* further streams ("multiple substream paths [...] being located out of said basic AV MPEG-2 transport stream") rather than a single further stream as in D1. However, the skilled person will consider the problem of how to extend the method of D1 for multiple further streams and he will consider the solution of extending the navigation file of D1, thereby arriving at the subject-matter of claims 1,7.

Hence, the subject-matter of claims 1,7 is obvious in view of D1.

For the same reasons, mutatis mutandis, the corresponding apparatus according to claim 6 lacks an inventive step in the sense of Article 33(3) PCT.

The remaining dependent claims add minor limiting features to the method of claim 1, all of which in so far as they are not explicitly disclosed in D1, relate to routine measures normally to be expected of the skilled person. Thus these claims also lack an inventive step in the sense of Article 33(3) PCT.

It is noted that the Blu-ray disc format, on which the only embodiment of the invention is based, is not available to the public.

Claims

(63)

1. Method for arranging data streams containing video, audio and/or other data, comprising:

5 defining a basic stream path of consecutive descriptors (PlayItem) pointing to parts of a basic AV MPEG-2 transport stream of multiplexed elementary streams, wherein said descriptors define the arrangement in time for playing back said parts of said basic AV MPEG-2 transport stream;

10 defining multiple sub stream paths of consecutive descriptors (SubPlayItem) existing in parallel to said basic stream path, said sub stream paths of descriptors pointing to parts of data streams being located out of said basic AV MPEG-2 transport stream, wherein each of said sub stream paths is of one of several possible sub stream path types like a video stream path, an audio stream path, a subtitle stream path or a graphics stream path;

15 indicating the type of each of said sub stream paths; and

20 binding at least one data stream originating from an external data source to said basic AV MPEG-2 transport stream by pointing at said data stream by descriptors (SubPlayItem) of the corresponding sub stream path.

25 2. Method according to claim 1, wherein said basic AV MPEG-2 transport stream is pre-recorded on a read-only disc and said at least one data stream bound to said basic AV MPEG-2 transport stream is provided via internet.

30 3. Method according to claim 1 or 2, wherein said descriptors define the synchronization of parts of said data streams concerning their relative relation in time by defining the start time and end time of the separate parts of data streams.

35 4. Method according to claim 1 or 2, wherein said descriptors define the synchronization of parts of data streams con-

cerning their switching by defining points in time and in the binary stream were the decoding of a part of a data stream can be substituted by decoding a part of another data stream .

5

5. Method according to any of claims 1 to 4, wherein the format of a data stream bound to said basic AV MPEG-2 transport stream is an MPEG-2 transport stream of multiplexed elementary streams.

10

6. Apparatus for performing a method according to any of claims 1 to 5..

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7. Pre-recorded storage medium containing video, audio and/or other data, comprising:

a basic AV MPEG-2 transport stream of multiplexed elementary streams;

20

a basic stream path of consecutive descriptors (PlayItem) pointing to parts of said basic AV MPEG-2 transport stream, wherein said descriptors define the arrangement in time for playing back said parts of said basic AV MPEG-2 transport stream;

25

multiple sub stream paths of consecutive descriptors (SubPlayItem) existing in parallel to said basic stream path, said sub stream paths of descriptors pointing to parts of data streams being located out of the basic AV MPEG-2 transport stream on an external data source, wherein each of said sub stream paths is of one of several possible sub stream path types like a video stream path, an audio stream path, a subtitle stream path or a graphics stream path; and

30

an indication of the type of each of said sub stream paths.